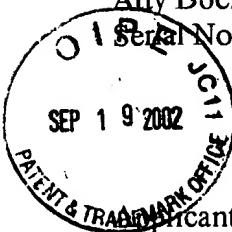


Atty Docket No. 4013-0000
Serial No. 09/747,909



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Lucy Broyles

Group Art Unit: Unknown

Serial No.: 09/747,909

Examiner: Unknown

Filed: December 22, 2000

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SEP 23 2002

OFFICE OF PETITIONS

Commissioner for Patents
Washington, D.C. 20231

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage Express Mail, Label No. EV124292500US, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on September 19, 2002

Stephanie L. Hall

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT
BASED ON FAILURE TO RECEIVE NOTICE TO FILE MISSING PARTS**

Commissioner:

In response to the Notice of Abandonment mailed September 4, 2002 and pursuant to the Manual of Patent Examining Procedure §711.03(c), Applicant hereby petitions for withdrawal of the holding of abandonment based on a failure to receive the Notice to File Missing Parts. Attached is Part 2 of the Notice of Abandonment.

Applicant's attorney of record has never received the Notice to File Missing Parts which was allegedly mailed by the U.S. Patent Office on February 7, 2001. Applicant's attorney declares that she has conducted a search of her Firm's file jacket and the docket records of the application and has concluded that the Notice was not received. Attached is a copy of the computerized docket record dated May 30, 2001 for the application where the nonreceived Notice to File Missing Parts would have been entered had it been received.

As further evidence that the Notice to File Missing Parts was not received in the office of Applicant's attorney, it is the customary practice that all correspondence received from the U.S. Patent Office by Applicant's office is opened and date stamped by the Docketing Department. The Docketing Department then enters the correspondence and any relevant deadlines into the computerized docket system and attaches the correspondence and updated docket record to the application file jacket. In view of the office practice, had the Notice to File Missing Parts been received in the attorney's office, an entry on the docket record attached hereto would have been made of the deadline to respond to the Notice with a corresponding remark of the mailing date of the Notice. In addition, the Notice would have been attached to the file jacket had the Notice been received.

In view of the foregoing, Applicant respectfully requests that the holding of abandonment be withdrawn.

**CHANGE OF
CORRESPONDENCE ADDRESS**

The correspondence address of Applicant's attorney has changed, which change of address was submitted for this application to the U.S. Patent Office on June 20, 2002 under its Customer Number 30652. However, the Notice of Abandonment mailed on September 4, 2002 contained the old address. Please address all future communications to:

Kristin Jordan Harkins
Conley, Rose & Tayon
Granite Park Two
5700 Granite Parkway, Suite 330
Plano, TX 75024
(972) 731-2288
(972) 731-2289 (Facsimile)

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Deposit Account No. 50-1515. If further information is required, please contact the undersigned.

Respectfully submitted,

CONLEY, ROSE & TAYON, P.C.

Date: September 19, 2002

5700 Granite Parkway, Suite 330
Plano, Texas 75024
Telephone: (972) 731-2288
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Kristin Jordan Harkins

Kristin Jordan Harkins

Reg. No. 37,859

ATTORNEY FOR APPLICANT